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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant.: David R. Maas et al.
Serial No. : 10/776,007
Filed : February 10, 2004
Title : SOIL AERATOR ASSEMBLY

Art Unit : 3671
Examiner : Unknown

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 CFR §1.53(b) mailed August 27, 2004 (copy enclosed), applicants claim small entity status (see 37 CFR 1.27) and submit herewith the following:

1. Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63 (2 pages);
2. Replacement drawings that comply with the size requirements and that are clear and in permanent ink. The replacement drawings contain the same material as the drawing on deposit (10 sheets);
3. Check in the amount of \$496 for payment of the basic filing fee of \$395, additional claims fee of \$36, and surcharge of \$65 for late filing of the basic filing fee and declaration;
4. Preliminary Amendment (7 pages);
5. Return Postcard.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

October 13, 2004

Date of Deposit

Caryl Harriman

Signature

Caryl Harriman

Typed or Printed Name of Person Signing Certificate

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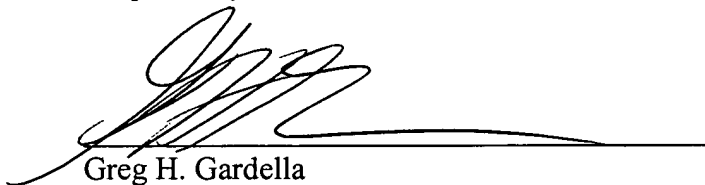
Attorney's Docket No.: 13506-016001

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

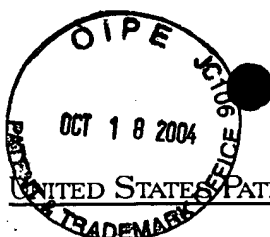
Date: _____

10/13/04



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/776,007	02/10/2004	David R. Maas	13506-016001

CONFIRMATION NO. 9100

FORMALITIES LETTER



OC00000013657267

26191
FISH & RICHARDSON P.C.
3300 DAIN RAUSCHER PLAZA
60 SOUTH SIXTH STREET
MINNEAPOLIS, MN 55402

Date Mailed: 08/27/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1-11a-b.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

10/19/2004 EAREGAY1 00000041 10776007

01 FC:2001	395.00	OP
02 FC:2051	65.00	OP
03 FC:2202	36.00	OP

- Additional claim fees of **\$36** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$486** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$36**
 - **\$36** for **4** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

S. Arenas

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY